



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(03-1070 (400.139))

In re the Application of: McSwiggen, et al. )  
Serial No: 10/727,780 ) **Group Art Unit: 1645**  
Filed: December 3, 2003 ) **Examiner: TBA**  
For: Inhibition of Gene Expression Using )  
Duplex Forming Oligonucleotides )

Mail Stop: Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**STATEMENT UNDER 37 C.F.R. § 1.821(f)**

Sir/Madam:

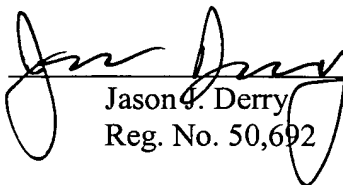
The undersigned declares that the content of the Sequence Listing, submitted in the above-identified application in compliance with 37 C.F.R. § 1.52(e) on Compact Disc-Recordable (CD-R) medium in duplicate (COPY 1 and COPY 2) in lieu of the paper copy under 37 C.F.R. § 1.821(c) and the computer readable form copy of the Sequence Listing, submitted in the above-identified application in accordance with 37 C.F.R. 1.821(e), are identical in content. The sequence listing, submitted herewith, does not extend beyond the scope of the specification, and thus, does not contain new matter.

Respectfully submitted,

**McDonnell Boehnen Hulbert & Berghoff LLP**

Dated: June 10, 2005

By:

  
Jason G. Derry  
Reg. No. 50,692